

AO 91 (Rev. 5/85) Criminal Complaint

United States District Court

Western District of Pennsylvania

UNITED STATES OF AMERICA

v.

CRIMINAL COMPLAINT

CASE NUMBER: 09-70 ME

UNDER SEAL

PONMUTHUKUMAR THANGAVELU
a/k/a Ponmuti Thangavelu
a/k/a Ponmuthukumar Thangavelu
a/k/a Ben
713 Fairmont Drive, #2A
Bloomington, IL 61704

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. In and around February 2009 to in and around October 2009 in Erie county, in the Western District of Pennsylvania defendant(s) did, (Track Statutory Language of Offense) using the mail, or any facility or means of interstate or foreign commerce, knowingly persuade, induce, entice, or coerce any individual who has not attained the age of 18 years, to engage in prostitution or any sexual activity for which any person can be charged with a criminal offense, or attempt to do so;

travel in interstate commerce for the purpose of engaging in illicit sexual conduct with another person, or attempt to do so.

in violation of Title 18 United States Code, Section(s) 2422(b), 2423(b) and 2423(e).
I further state that I am a(n) Special Agent Official Title and that this complaint is based on the following facts: Please see attached affidavit.

Continued on the attached sheet and made a part hereof: ☒ Yes ☐ No

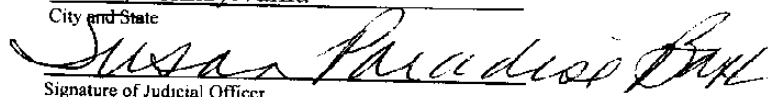

Signature of Complainant

Sworn to before me and subscribed in my presence,

December 9, 2009
Date

Susan Paradise Baxter, U.S. Magistrate Judge
Name and Title of Judicial Officer

at Erie, Pennsylvania
City and State


Signature of Judicial Officer

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

Magistrate No. *09-70 ME*

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

I, Thomas Brenneis, being first duly sworn on oath, depose and say:

1. I am a Special Agent of the Federal Bureau of Investigation (FBI) presently assigned to the Erie, Pennsylvania resident agency of the FBI and have been employed there since January 2007.

2. The information set forth below was obtained as a result of my own participation in this investigation, and the participation and investigation of other law enforcement officers, including Troopers with the Pennsylvania State Police (PSP).

3. On October 7, 2009, H.N., a fourteen year old female whose date of birth is October 2, 1995, was interviewed at her residence by PSP Trooper Jim Brown, who was investigating a report initially provided by H.N. to PSP on October 4, 2009. H.N. informed Trooper Brown that she first met an individual she knew as "Ben" online via "Pal Talk" around February 2009. "Ben" informed H.N. that he was fifteen years of age. H.N. informed "Ben" that she was thirteen on multiple occasions during their conversations. The two then began to communicate with each other on Yahoo Messenger.

4. H.N. informed Trooper Brown that from March 2009 until approximately the middle of September 2009, she and "Ben" did not communicate with each other because H.N. was in juvenile placement until August 13, 2009. After the two reconnected in September 2009, H.N. and "Ben" exchanged cell phone numbers and from this point forward their communications were via cellular text messages and a few voice mails. After the two began communicating again they agreed to meet each other. "Ben" told H.N. that he could get a ride from Illinois. At this point H.N. was still under the impression that "Ben" was a teenager. The two originally planned to meet in a couple of months (i.e. November or December 2009) but in late September 2009, "Ben" texted H.N. and told her that he wanted to see her that upcoming weekend.

5. "Ben" and H.N. then made arrangements for "Ben" to pick up H.N. at Corry Middle School in the afternoon on October 2, 2009. In order to facilitate their meeting, H.N. provided "Ben" the address for Corry Middle School in the week leading up to October 2, 2009. In the morning on October 2, 2009, H.N. received a text message from "Ben" in which "Ben" told H.N. that he wanted to "fuck" her. On October 2, 2009, at approximately 3:15 p.m., "Ben" picked up H.N. at Corry Middle School. H.N. also indicated that it appeared that "Ben" was driving a rental car because the license plate was from Florida as it included the phrase "The Sunshine State" and at times "Ben" seemed unfamiliar with the vehicle.

6. "Ben" then drove H.N. to the TA Travel Center truck stop in Harborcreek, Pennsylvania and got a room at the Rodeway Inn (which is part of the TA Travel Center complex), which H.N. remembered was 202. H.N. and "Ben" then stayed at the motel room all weekend. The two had consensual intercourse on multiple occasions over the course of the weekend at the motel room. H.N. and "Ben" did not leave the motel room over the weekend other than to have meals together at the Buckhorn restaurant inside the TA truck stop. "Ben" brought wine coolers with him when he picked up H.N. and he provided that alcohol to H.N. over the course of the weekend. On the evening of October 3, 2009, "Ben" informed H.N. that he was twenty six years of age. The two then left the motel room in the morning on October 4, 2009 and "Ben" drove H.N. to a location near her home and dropped her off.

7. On October 6, 2009 Trooper Brown obtained documentation from the Rodeway Inn in Harborcreek, Pennsylvania where H.N. stayed with "Ben." That documentation reveals that Ponmuti Thangavelu rented Room 202 at the Rodeway Inn from October 2, 2009 through October 3, 2009 using an American Express card.

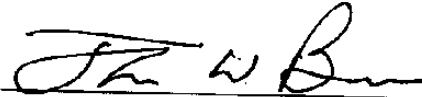
8. On or about October 16, 2009 a federal grand jury subpoena was issued to American Express for records concerning the American Express account that was used to rent Room 202 at Rodeway Inn in Harborcreek, Pennsylvania from October 2, 2009 through October 3, 2009. On or about November 5, 2009, your affiant obtained records from American Express relative to that account.

The account is an Accenture corporate account in the name of Ponmuthukumar T with an address of 713 Fairmont Dr #2A in Bloomington, IL. The account record reveals a charge at the Harborcreek Travel Center with an address of Erie, Pennsylvania on October 2, 2009. The records also reveal charges at gas stations in Angola, Indiana and Kingsville, Ohio on October 2, 2009. Likewise, the account records reveal charges at gas stations on October 4, 2009 in Corry, Pennsylvania, and Fremont, Indiana and Bloomington, Illinois. Lastly, the account records reveal that "Thangevelu /Ponmuthukumar rented a car at Hertz in Bloomington, Illinois on October 1, 2009 and returned the vehicle in Bloomington, Illinois on October 5, 2009.

9. Your affiant has checked drivers license records in Illinois which reveal that an individual named Ponmuthukumar Thangevelu with an address of 713 Fairmont Dr, Apt 2A, Bloomington, Illinois was issued an Illinois drivers license on January 3, 2009.

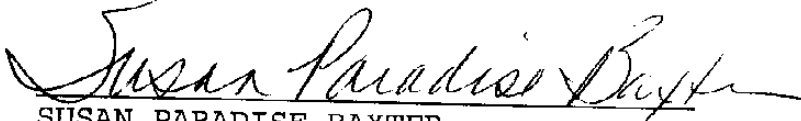
10. Your affiant has reviewed surveillance footage from the TA Travel Center taken at 4:37 p.m. on October 2, 2009 around the time when H.N. and Ponmuthukumar Thangevelu ("Ben") arrived there. H.N. can be seen on the surveillance footage in the company of a dark skinned male who closely resembles the Illinois drivers license photo and description for Ponmuthukumar Thangevelu.

Wherefore, there is probable cause to conclude that has committed violations of Title 18, United States Code, Sections 2422(b), 2423(a) and 2423(e).



THOMAS BRENNEIS
Special Agent
Federal Bureau of Investigation

Sworn to before me and subscribed
in my presence this 9th day of
December 2009.



SUSAN PARADISE BAXTER
United States Magistrate Judge